



Legislative Appropriations Request For Fiscal Years 2012 and 2013

**Submitted to the
Governor's Office of Budget, Planning and Policy
And the Legislative Budget Board**

By

The Office of Injured Employee Counsel

Signed by: _____


Norman Darwin, Public Counsel

August 30, 2010

**OFFICE OF INJURED EMPLOYEE COUNSEL
REQUEST FOR LEGISLATIVE APPROPRIATIONS
FISCAL YEARS 2012 AND 2013**

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82nd Regular Session, Agency Submission, Version 1
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Agency code: **448** Agency name: **Office of Injured Employee Counsel**

The mission of the Office of Injured Employee Counsel (OIEC) is to assist, educate, and advocate on behalf of injured employees of Texas. OIEC provides free Ombudsman services to assist injured employees in the Texas Department of Insurance (TDI)'s, Division of Workers' Compensation (DWC)'s administrative dispute resolution system; provides information to injured employees about their rights and responsibilities and the role of OIEC; and advocates on behalf of injured employees as a class.

OIEC is governed by a single Public Counsel who is appointed by the Governor and confirmed by the Senate for a two-year term, which expires February 1st of each odd numbered year. The Public Counsel serves as executive director of the agency with authority over day-to-day operations and legal decisions. Norman Darwin has served as OIEC's Public Counsel since OIEC became operational on March 1, 2006. Mr. Darwin was most recently re-appointed by Governor Rick Perry in February of 2009.

OIEC's Central Office is located at 7551 Metro Center Drive in Austin, Texas, and there are 23 field offices and three satellite offices strategically located around the State to serve the public.

At the beginning of calendar year 2010, OIEC employees were asked to participate in the Survey of Employee Engagement, formerly known as the Survey of Organizational Excellence. The survey provides information about the employees' perceptions of the effectiveness of the agency, and the employee's satisfaction with the agency. The survey is provided by the University of Texas at Austin, School of Social Work, and most state agencies participate in the survey. This is the second time OIEC employees have taken this survey. In 2008, OIEC had a response rate of 82 percent. This year, 100 percent of OIEC employees responded. OIEC is proud of this outstanding response rate, which is the first time in State history that the survey was completed with a 100 percent response rate. The 100 percent response rate means that OIEC employees have an investment in the organization, want to see the organization improve, and have a sense of responsibility to the organization and the injured employees of Texas.

Some of the agency's accomplishments within the last biennium include the following:

- Through the 3rd quarter of FY 2010, OIEC resolved over 50 percent of injured employee's disputed issues prior to assisting them through a DWC administrative dispute resolution proceeding.
- In FY 2009, OIEC made or received more than 270,000 telephone calls that assisted an injured employee, and through the 3rd quarter of FY 2010 the agency has made or received almost 210,000 telephone calls that assisted its customers.
- According to OIEC's 2009 Customer Satisfaction Survey, more than 90 percent of survey participants responded that OIEC's quality of service was good or excellent, and more than 95 percent responded that OIEC's quality of information was good or excellent.
- In FY 2009, OIEC made over 6,300 referrals to the Department of Assistive and Rehabilitative Services, the Texas Workforce Commission, TDI, other social services agencies, and regulatory services agencies. During the first nine months of FY 2010, OIEC made more than 7,300 referrals to these agencies to aid injured employees in returning to work and in accessing necessary social service resources.
- OIEC conducted workshops for the medical community across Texas to enhance the quality of medical assistance injured employees receive in the medical dispute resolution process.
- A standardized letter and process was created for the agency to use to request evidence-based medical opinions to establish medical necessity of proper treatment from the injured employee's treating doctor.
- The agency coordinated training in medical research with medical school librarians.
- Many of OIEC's policies and procedures were updated, reviewed, and finalized.
- Procedures were developed for OIEC employees to use when dealing with potentially violent, suicidal, and homicidal injured employees.
- Specialized form letters were developed for consistency for OIEC staff and posted on OIEC's intranet website.

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- OIEC developed a telephone monitoring evaluation process for our customer service representatives.
- OIEC developed a uniform policy to ensure injured employees timely file appropriate forms to safeguard their rights.
- Many OIEC rules were proposed and adopted under Title 28, Texas Administrative Code, Chapter 276.
- OIEC provided a directive that contains in-depth direction for providing professional customer service.
- All Regional Staff Attorneys became part of the College of the State Bar, which is required by the agency. OIEC is the only state agency that requires staff to be members of the College of the State Bar of Texas.
- The Deputy Public Counsel was appointed as a Biennial Public Policy Fellow for the University of Texas' Center for Public Policy Dispute Resolution, and the Director of Legal Services was nominated for a Public Service Award for Texas Women in State Government.
- The Deputy Public Counsel and Director of Legal Services achieved certification as a Senior Professional in Human Resources (SPHR).
- OIEC Administration and Operations staff serve as Chair and Vice-Chair of the Mid-Size Agency Coordinating Council (MACC).

OIEC has a unique structure and mechanism for funding. OIEC is administratively attached to TDI and is not funded for consumables, facilities, or other items as a result of its administrative attachment. As a result, over 92 percent of OIEC's budget is dedicated to salaries. OIEC is funded from the same operating account as TDI. OIEC's funding mechanism is self-leveling. The Texas Legislature appropriates funds from General Revenue (GR) Dedicated Account 36 to various agencies that participate in or contribute to the regulation of insurance, prevention of insurance loss, and administration of workers' compensation. Both the Texas Insurance Code and Texas Labor Code require that the maintenance taxes be set with the intention of collecting the revenue needed to fund authorized expenditures from Fund 36. A reduction in appropriations would result in the maintenance tax being adjusted to collect less revenue. Legislative action would be necessary if additional revenue is required or to ensure the same level of funds necessary in certifying the amount of available revenue. In sum, reducing the agency's budget would have no fiscal impact on General Revenue.

OIEC's budget for the FY 2010-2011 biennium was \$15,539,084 with a full-time equivalent (FTE) or staffing cap of 184. On January 15, 2010, the Governor, Lieutenant Governor, and Speaker of the House requested each state agency to submit a plan to identify savings totaling five percent. OIEC submitted the agency's proposed budget reduction; however, Legislative Leadership exempted OIEC from reducing its budget due to its unique funding mechanism.

OIEC's FY 2012-2013 base request for appropriations was required to be submitted as if OIEC had not been exempted from the five percent reduction. Therefore, OIEC's FY 2012-2013 Legislative Appropriations Request is \$14,762,130, resulting in a \$776,954 reduction from its FY 2010-2011 biennial budget.

OIEC is not requesting any exceptional items that would exceed appropriations received for the FY 2010-2011 biennium. However, the agency is requesting items included in the baseline reduction of five percent for which OIEC was previously exempted. The requested exceptional items for the FY 2012-2013 biennium include the following:

- 1) Salaries and Wages -- \$316,954: While OIEC is committed to providing high quality services to every unrepresented injured employee, the agency anticipates that the reduction in staff will affect the ability to maintain its quality customer service. A reduction in salaries and wages results in a reduction-in-force of at least six full-time equivalents (FTEs) over the biennium, and an agency with a budget that is approximately 97 percent dedicated to salaries.
- 2) Other Operating -- \$310,000: Outreach efforts are a critical part of OIEC's mission to assist, educate, and advocate on behalf of the injured employees in Texas. TDI conducts a biennial survey of employers. The results of the survey indicate that Texas employers have become more educated about HB 7 and recent workers' compensation reforms. OIEC believes this improvement is a result of the agency's exhaustive education efforts. Specifically, OIEC has developed various tools to educate injured employees and assist them in navigating through the dispute resolution process. OIEC also provides outreach and education to workers' compensation system

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participants and the public about the agency's services. Labor Code §404.154 and §404.004 statutorily mandate the agency to widely disseminate information about the Ombudsman Program and prepare educational information of public interest, respectively. A reduction in this category impacts the ability for OIEC to provide outreach materials, to disseminate information to injured employees and other parties in the workers' compensation system, and to make public presentations to fulfill the agency's goal to educate. In addition to providing information on the agency website, OIEC provides hardcopy outreach materials, such as brochures and pamphlets, to injured employees because many injured employees do not have access to the internet. Specifically, OIEC's Customer Satisfaction Survey indicated that 79 percent of the respondents had never accessed OIEC's website and of those 57 percent had no internet access at home.

Additionally, a reduction in other operating funds will hinder the ability for OIEC to provide statutorily mandated licenses, license renewals, certifications, and recertifications, such as Workers' Compensation Adjuster's Licenses, Texas State Bar Licenses, Senior Professional in Human Resources (SPHR) recertification, and CPA License for OIEC's Internal Auditor.

3) Travel -- \$80,000: A reduction in travel would limit the number of Ombudsman observations performed and docketing coverage for dispute resolution proceedings. Agency training will be adversely affected by a reduction in travel necessary to attend required training. Approximately 25 percent of the Ombudsman Program and Regional Staff Attorney training will be eliminated due to a reduction in travel, including travel required for training for continuing education hours for Workers' Compensation Adjuster's License, Minimum Continuing Legal Education (MCLE) hours, and requirements for membership in the College of the State Bar of Texas for Regional Staff Attorneys. Additionally, quality assurance reviews to identify potential areas of improvement within the agency will decrease and the agency is likely to have difficulty ensuring that services are consistent statewide and that injured employees' rights are being protected.

OIEC is actively involved in workers' compensation on a national basis. The International Association of Industrial Accident Boards and Commissions (IAIABC) and other states have publicly recognized OIEC as a national model. A reduction in travel will eliminate OIEC's participation at the annual IAIABC conference and other national platforms that highlight Texas' accomplishments in this arena and provide OIEC with important benchmarking opportunities.

4) Professional Fees/Services -- \$70,000: OIEC's role as an advocate and a system participant within the workers' compensation system is unique. As such, OIEC contracts with external vendors to produce non-biased, research intensive Customer Satisfaction Surveys for strategic planning and benchmarking purposes. The reduction results in OIEC producing this report internally by absorbing the function within the agency's Quality Assurance Section. As a result, OIEC's Quality Assurance Section is adversely impacted by over 25 percent. Other expenditures funded through Professional Fees/Services that may be adversely impacted by this reduction include the following:

- Temporary employees that aid staff in completing special projects, such as outreach material packaging and distribution;
 - Defensive driving courses for employees that frequently travel, which was recommended by the State Office of Risk Management;
 - Employee's Assistance Program services that offer counseling, guidance, training, resources, and referrals to help employees balance work with life to increase health and well being;
 - Unemployment insurance mandated by §15.01, Reimbursements for Unemployment Benefits, in General Provisions of the General Appropriations Act;
 - Interagency contract for review services provided by the Texas Workforce Commission's Civil Rights Division as required by Texas Labor Code §21.451-456;
 - Speakers/Presenters invited to present information at agency conferences, which is needed to relay technical information for medical and indemnity dispute resolution;
- and
- Medical professionals hired for medical consultation services and expert witness testimony to assist the Ombudsman Program in medical dispute resolution proceedings. More than half of the medical dispute resolution proceedings include Ombudsman assistance. A medical consultant position would be an asset to the agency. The position could provide assistance to Ombudsmen and other OIEC staff regarding medical dispute resolution, medical research, and other related issues.

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However, OIEC is not requesting a medical consultant position at this time due to the current economic climate.

In addition to the reduction of five percent for the requested FY 2012-2013 baseline appropriations, State agencies are also required to submit Schedule 6.I. 10 Percent Biennial Base Reduction Options. The ten percent reduction would negatively impact OIEC's FY 2012-2013 appropriations by \$1,476,213. The cuts would impact travel and salaries and would necessitate a reduction-in-force. Travel would be reduced an additional \$100,000, which would further limit the number of Ombudsman observations performed, docketing coverage for dispute proceedings, and agency training. The additional ten percent budget reductions would result in a reduction-in-force of approximately 22.5 FTEs, which when coupled with the five percent reduction would result in a reduction-in-force of at least 28.5 FTEs. Budget cuts would also affect the agency's early intervention efforts in resolving disputes prior to an administrative proceeding. Currently, OIEC resolves approximately 50% of disputed issues prior to notifying DWC of the dispute. A reduction in OIEC's early intervention efforts would increase costs to DWC's and the State Office of Administrative Hearings (SOAH)'s administrative dispute resolution process as more disputes would be adjudicated through their respective systems.

Should all the proposed budget cuts come to fruition, OIEC will have operational difficulties in the agency's 23 field offices and the three satellite offices located statewide, and the injured employees of Texas would be adversely affected. Moreover, the agency is likely to have immense challenges in fulfilling its mission to assist, educate, and advocate on behalf of hard working Texans who get injured on the job.

Changes to Strategy Allocation:

For the FY 2012-2013 biennium, OIEC realigned staff and funds to more accurately reflect agency operations. Additionally, the new allocation provides more transparency regarding how taxpayer dollars are spent. As of FY 2012, Ombudsmen are allocated to Strategy 1, Customer Service Representatives are allocated to Strategy 2, and Legal Services and Administration and Operations staff are allocated solely to Strategy 3. Prior to FY 2012, staff were divided into multiple strategies.

Significant Changes in Policy:

OIEC's new policy of attempting to resolve disputes prior to requesting a benefit dispute resolution proceeding has proven to be successful. More than 50 percent of disputed issues are currently resolved prior to entering DWC's administrative dispute resolution process. Early intervention/case development begins in the Customer Services Program where general information is provided and attempts are made to resolve the dispute. If Customer Service cannot resolve the dispute in seven business days, the dispute is transferred to the Ombudsman Program where efforts to resolve the dispute prior to initiating the dispute resolution process continue. OIEC believes its early intervention efforts yield cost savings for DWC and SOAH by resolving disputes prior to entering either agency's proceedings process.

Significant Externalities:

Federal Health Care Reform. Part of the Federal Health Care Reform requires states to create an Ombudsman Program, which is estimated at 20 to 30 FTEs for three years at \$30 million funded by a federal grant. The Ombudsman Program will serve as the consumer assistance office to help consumers enroll in plans, file complaints and appeals, solve problems with programs, answer tax questions, and track any problems with the implementation of the reform. OIEC's Deputy Public Counsel and its Director of the Ombudsman Program have been asked to participate on a team with the Health and Human Services Commission-federal, Health and Human Services Commission-state, and the Office of Public Insurance Counsel to help design the Ombudsman Program, to discuss best practices for the Ombudsman Program, and to aid in the implementation of the health care reform in Texas.

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OIEC believes this invitation is a result of the agency's hard work and OIEC's outstanding reputation. Additionally, OIEC remains diligent in working with unrepresented injured employees and other workers' compensation participants throughout the implementation of the health care reform.

Cause No. 05-0272: Entergy Gulf States, Inc., Petitioner v. John Summers, Respondent in the Supreme Court in Texas. This case extends the workers' compensation exclusive remedy protection to general contractor premises owners and limits injured employees' ability to pursue a third-party negligence action against the premises owner where they are injured. The decision raises questions about the adequacy of workers' compensation benefits to compensate injured employees and may reduce the incentive for a premises owner to maintain a safe workplace by removing the threat of exposure to tort liability.

Miscellaneous Funding Items/Riders:

- OIEC requests approval of an appropriation for unexpended balances as of August 31, 2012, not to exceed five percent for any item of appropriation, to be appropriated to OIEC for the same purposes for the fiscal year ending August 31, 2013. Due to OIEC's size and structure, the agency is adversely affected when unspent monies are not transferable to the second year of the biennium. By granting unexpended balance authority, the agency is better able to fund and implement plans to improve injured employee services based on a 24-month budget cycle.
- OIEC requests approval to decrease its FTE cap from 184 to 175 due to the number of unfunded positions OIEC has accrued. The unfunded positions are a result of the transfer of staff from DWC as a result of the 80th Texas Legislature, Regular Session, 2007 at a salary higher than the base; a management decision to pay Ombudsman staff and other professional staff at a competitive salary for retention and equity purposes; and salary costs absorbed due to changes to the Position Classification Act as a result of the 81st Texas Legislature, Regular Session, 2009.

Background Checks:

OIEC does not currently conduct criminal background checks. OIEC does, however, conduct driver's license checks on all employees prior to their hire date.

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Office of Injured Employee Counsel

Norman Darwin
OIEC Public Counsel

Brian White
Deputy Public Counsel
(18 FTEs)

Internal Auditor

Director of Ombudsman
Program (10 FTEs)

Administration & Operations

Director of Customer Service
(2 FTEs)

Director of Legal Services
(9 FTEs)

Ombudsman Program
Coordinator

Ombudsman Supervisor
Team V (12 FTEs)

Ombudsman Supervisor
Team III (16 FTEs)

Ombudsman Supervisor
Team I (14 FTEs)

Ombudsman Supervisor
Team IV (19 FTEs)

Ombudsman Supervisor
Team II (15.5 FTEs)

Ombudsman Supervisor
Team VI (16 FTEs)

Associate Director
of the Ombudsman
Program

Associate Director
of the Ombudsman
Program

Associate Director
of the Ombudsman
Program

Associate Director of
Operations

Reporting Analyst

2 FTEs
Staff Services Officer

1 Full-Time, 2 Part-
Time FTEs
Communications
Specialist

Executive Assistant

Associate Director of
Quality Assurance

5 FTEs
Quality Assurance
Specialist

Customer Service
Supervisor
Teams 1, 2, 4

Customer Service
Staff
(18 FTEs)

Customer Service
Supervisor
Teams 3, 5, 6

Customer Service
Staff
(19 FTEs)

Associate Director of
Legal Services

Regional Staff Attorney
Austin (Team III)

Regional Staff Attorney
Dallas (Team IV)

Regional Staff Attorney
Fort Worth (Team IV)

Regional Staff Attorney
Houston East (Team VI)

Regional Staff Attorney
Houston West (Team II)

Regional Staff Attorney
Weslaco (Team V)

Regional Staff Attorney
Dallas (Team I)

Legal Assistant

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2.A. SUMMARY OF BASE REQUEST BY STRATEGY
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Agency code: **448** Agency name: **Office of Injured Employee Counsel**

Goal / Objective / STRATEGY	Exp 2009	Est 2010	Bud 2011	Req 2012	Req 2013
<u>METHOD OF FINANCING:</u>					
General Revenue Dedicated Funds:					
36 Dept Ins Operating Acct	7,640,722	7,471,374	8,067,710	7,381,065	7,381,065
SUBTOTAL	\$7,640,722	\$7,471,374	\$8,067,710	\$7,381,065	\$7,381,065
TOTAL, METHOD OF FINANCING	\$7,640,722	\$7,471,374	\$8,067,710	\$7,381,065	\$7,381,065

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. SUMMARY OF BASE REQUEST BY METHOD OF FINANCE
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METHOD OF FINANCING	Exp 2009	Est 2010	Bud 2011	Req 2012	Req 2013
<u>GENERAL REVENUE FUND - DEDICATED</u>					
36 GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations	\$7,174,693	\$7,769,542	\$7,769,542	\$7,381,065	\$7,381,065
<i>TRANSFERS</i>					
81st Leg Session HB 4586 Sec 89 Retention Payment-OIEC	\$121,040	\$0	\$0	\$0	\$0
Art IX, Sec 19.62 (a), Salary Increase (2008-09 GAA)-2008	\$107,884	\$0	\$0	\$0	\$0
Art IX, Sec 19.62 (a), Salary Increase (2008-09 GAA)-2009	\$122,697	\$0	\$0	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>					
Lapsed Appropriations	\$(81,104)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>					
Art VIII-16, Rider 2 (10-11 GAA)	\$0	\$(298,168)	\$298,168	\$0	\$0
Art VIII-24, Rider 2 (08-09 GAA)	\$195,512	\$0	\$0	\$0	\$0

2.B. SUMMARY OF BASE REQUEST BY METHOD OF FINANCE
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Agency code: 448		Agency name: Office of Injured Employee Counsel			
METHOD OF FINANCING	Exp 2009	Est 2010	Bud 2011	Req 2012	Req 2013
<u>GENERAL REVENUE FUND - DEDICATED</u>					
TOTAL, GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036	\$7,640,722	\$7,471,374	\$8,067,710	\$7,381,065	\$7,381,065
TOTAL, ALL GENERAL REVENUE FUND - DEDICATED	\$7,640,722	\$7,471,374	\$8,067,710	\$7,381,065	\$7,381,065
TOTAL, GR & GR-DEDICATED FUNDS	\$7,640,722	\$7,471,374	\$8,067,710	\$7,381,065	\$7,381,065
<u>OTHER FUNDS</u>					
<u>666</u> Appropriated Receipts					
<i>TRANSFERS</i>					
Art IX, Sec 8.03, Reimbursements and Payments 08-09 GAA					
	\$100	\$0	\$0	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>					
Lapsed Appropriations					
	\$(100)	\$0	\$0	\$0	\$0
TOTAL, Appropriated Receipts	\$0	\$0	\$0	\$0	\$0
TOTAL, ALL OTHER FUNDS	\$0	\$0	\$0	\$0	\$0
GRAND TOTAL	\$7,640,722	\$7,471,374	\$8,067,710	\$7,381,065	\$7,381,065

2.B. SUMMARY OF BASE REQUEST BY METHOD OF FINANCE
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Agency code:	448	Agency name:	Office of Injured Employee Counsel		
METHOD OF FINANCING	Exp 2009	Est 2010	Bud 2011	Req 2012	Req 2013
FULL-TIME-EQUIVALENT POSITIONS					
REGULAR APPROPRIATIONS					
Regular Appropriations	183.0	184.0	184.0	178.0	178.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
Unauthorized Number Over (Below) Cap	(26.5)	(21.4)	(9.0)	(9.0)	(9.0)
TOTAL, ADJUSTED FTES	156.5	162.6	175.0	169.0	169.0
NUMBER OF 100% FEDERALLY FUNDED					
FTEs	0.0	0.0	0.0	0.0	0.0

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2.C. SUMMARY OF BASE REQUEST BY OBJECT OF EXPENSE
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DATE: **8/25/2010**
TIME: **7:57:56AM**

Agency code: 448	Agency name: Office of Injured Employee Counsel				
OBJECT OF EXPENSE	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
1001 SALARIES AND WAGES	\$6,369,065	\$6,690,177	\$7,126,484	\$6,819,839	\$6,819,839
1002 OTHER PERSONNEL COSTS	\$675,124	\$223,541	\$245,420	\$245,421	\$245,421
2001 PROFESSIONAL FEES AND SERVICES	\$12,773	\$33,934	\$62,705	\$27,705	\$27,705
2003 CONSUMABLE SUPPLIES	\$1,199	\$3,511	\$0	\$0	\$0
2004 UTILITIES	\$25,644	\$9,160	\$17,130	\$17,129	\$17,129
2005 TRAVEL	\$191,750	\$212,309	\$239,900	\$199,900	\$199,900
2006 RENT - BUILDING	\$1,001	\$1,120	\$0	\$0	\$0
2007 RENT - MACHINE AND OTHER	\$1,840	\$2,250	\$0	\$0	\$0
2009 OTHER OPERATING EXPENSE	\$362,326	\$295,372	\$376,071	\$71,071	\$71,071
OOE Total (Excluding Riders)	\$7,640,722	\$7,471,374	\$8,067,710	\$7,381,065	\$7,381,065
OOE Total (Riders)					
Grand Total	\$7,640,722	\$7,471,374	\$8,067,710	\$7,381,065	\$7,381,065

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2.D. SUMMARY OF BASE REQUEST OBJECTIVE OUTCOMESDate : **8/25/2010**82nd Regular Session, Agency Submission, Version 1
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Goal/ Objective / Outcome	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
1 Assist Individual Injured Employees through the Ombudsman Program					
1 Assist Unrepresented Injured Employees in Dispute Resolution					
1 % Disputes Resolved Prior to TDI Dispute Resolution Process					
	22.00%	51.00%	50.00%	35.00%	35.00%
KEY 2 % Dispute Resolution Proceedings at DWC with Ombudsman Assistance					
	38.00%	39.00%	39.00%	37.00%	37.00%
KEY 3 % CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist					
	39.00%	38.00%	38.00%	36.00%	36.00%
KEY 4 Percentage of Appeal Issues Prevailed with Ombudsman Assistance					
	35.00%	35.00%	35.00%	33.00%	33.00%
2 Increase Injured Employee Education and Provide Referrals					
1 Inform Injured Employees/System Participants and Provide Referrals					
KEY 1 % Injured Employees Reached by OIEC Efforts					
	96.00%	95.00%	96.00%	96.00%	96.00%
3 Advocate for Injured Employees As a Class					
1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource					
1 Percentage of Adopted Workers' Compensation Rules Analyzed					
	100.00%	100.00%	100.00%	100.00%	100.00%
2 Percent Adopted WC Rules in which OIEC Participated					
	70.00%	100.00%	100.00%	100.00%	100.00%
KEY 3 Percentage of Rules Changed for the Benefit of Injured Employees					
	29.00%	86.00%	78.00%	78.00%	78.00%

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2.E. SUMMARY OF EXCEPTIONAL ITEMS REQUEST

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010

TIME : 7:55:31AM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Priority	Item	2012			2013			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	Salaries	\$158,477	\$158,477	6.0	\$158,477	\$158,477	6.0	\$316,954	\$316,954
2	Other Operating	\$155,000	\$155,000		\$155,000	\$155,000		\$310,000	\$310,000
3	Travel	\$40,000	\$40,000		\$40,000	\$40,000		\$80,000	\$80,000
4	Professional Fees	\$35,000	\$35,000		\$35,000	\$35,000		\$70,000	\$70,000
Total, Exceptional Items Request		\$388,477	\$388,477	6.0	\$388,477	\$388,477	6.0	\$776,954	\$776,954

Method of Financing

General Revenue

General Revenue - Dedicated

Federal Funds

Other Funds

388,477	388,477	388,477	388,477	776,954	776,954
\$388,477	\$388,477	\$388,477	\$388,477	\$776,954	\$776,954

Full Time Equivalent Positions**6.0****6.0****Number of 100% Federally Funded FTEs****0.0****0.0**

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2.F. SUMMARY OF TOTAL REQUEST BY STRATEGY
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/25/2010
TIME : 7:54:40AM

Agency code: 448	Agency name: Office of Injured Employee Counsel					
Goal/Objective/STRATEGY	Base 2012	Base 2013	Exceptional 2012	Exceptional 2013	Total Request 2012	Total Request 2013
1 Assist Individual Injured Employees through the Ombudsman Program						
1 Assist Unrepresented Injured Employees in Dispute Resolution						
1 OMBUDSMAN PROGRAM	\$4,199,769	\$4,199,769	\$291,877	\$291,877	\$4,491,646	\$4,491,646
TOTAL, GOAL 1	\$4,199,769	\$4,199,769	\$291,877	\$291,877	\$4,491,646	\$4,491,646
2 Increase Injured Employee Education and Provide Referrals						
1 Inform Injured Employees/System Participants and Provide Referrals						
1 RIGHTS RESPONSIBILITIES & REFERRAL	1,391,560	1,391,560	46,000	46,000	1,437,560	1,437,560
TOTAL, GOAL 2	\$1,391,560	\$1,391,560	\$46,000	\$46,000	\$1,437,560	\$1,437,560
3 Advocate for Injured Employees As a Class						
1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource						
1 ADVOCATE FOR INJURED EMPLOYEES	1,789,736	1,789,736	50,600	50,600	1,840,336	1,840,336
TOTAL, GOAL 3	\$1,789,736	\$1,789,736	\$50,600	\$50,600	\$1,840,336	\$1,840,336
TOTAL, AGENCY STRATEGY REQUEST	\$7,381,065	\$7,381,065	\$388,477	\$388,477	\$7,769,542	\$7,769,542
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$7,381,065	\$7,381,065	\$388,477	\$388,477	\$7,769,542	\$7,769,542

2.F. SUMMARY OF TOTAL REQUEST BY STRATEGY
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/25/2010
TIME : 7:54:40AM

Agency code: 448		Agency name: Office of Injured Employee Counsel				
Goal/Objective/STRATEGY	Base 2012	Base 2013	Exceptional 2012	Exceptional 2013	Total Request 2012	Total Request 2013
General Revenue Dedicated Funds:						
36 Dept Ins Operating Acct	\$7,381,065	\$7,381,065	\$388,477	\$388,477	\$7,769,542	\$7,769,542
	\$7,381,065	\$7,381,065	\$388,477	\$388,477	\$7,769,542	\$7,769,542
TOTAL, METHOD OF FINANCING	\$7,381,065	\$7,381,065	\$388,477	\$388,477	\$7,769,542	\$7,769,542
FULL TIME EQUIVALENT POSITIONS	169.0	169.0	6.0	6.0	175.0	175.0

2.G. SUMMARY OF TOTAL REQUEST OBJECTIVE OUTCOMES

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)

Date : 8/25/2010
Time: 7:56:31AM

Agency code: **448**

Agency name: **Office of Injured Employee Counsel**

Goal/ Objective / Outcome

		BL 2012	BL 2013	Excp 2012	Excp 2013	Total Request 2012	Total Request 2013
1	Assist Individual Injured Employees through the Ombudsman Program						
1	<i>Assist Unrepresented Injured Employees in Dispute Resolution</i>						
	1 % Disputes Resolved Prior to TDI Dispute Resolution Process						
		35.00%	35.00%	37.00%	37.00%	37.00%	37.00%
KEY	2 % Dispute Resolution Proceedings at DWC with Ombudsman Assistance						
		37.00%	37.00%	39.00%	39.00%	39.00%	39.00%
KEY	3 % CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist						
		36.00%	36.00%	38.00%	38.00%	38.00%	38.00%
KEY	4 Percentage of Appeal Issues Prevailed with Ombudsman Assistance						
		33.00%	33.00%	35.00%	35.00%	35.00%	35.00%
2	Increase Injured Employee Education and Provide Referrals						
1	<i>Inform Injured Employees/System Participants and Provide Referrals</i>						
KEY	1 % Injured Employees Reached by OIEC Efforts						
		96.00%	96.00%	96.00%	96.00%	96.00%	96.00%
3	Advocate for Injured Employees As a Class						
1	<i>Ensure Adequate Rules to Protect Injured Employees and Act as Resource</i>						
	1 Percentage of Adopted Workers' Compensation Rules Analyzed						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	2 Percent Adopted WC Rules in which OIEC Participated						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

2.G. SUMMARY OF TOTAL REQUEST OBJECTIVE OUTCOMESDate : **8/25/2010**82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)Time: **7:56:31AM**Agency code: **448**Agency name: **Office of Injured Employee Counsel**Goal/ *Objective* / **Outcome**

	BL 2012	BL 2013	Excp 2012	Excp 2013	Total Request 2012	Total Request 2013
KEY						
3 Percentage of Rules Changed for the Benefit of Injured Employees						
	78.00%	78.00%	78.00%	78.00%	78.00%	78.00%

3.A. STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:57:19AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program Statewide Goal/Benchmark: 7 5
OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service Categories:
STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
Output Measures:						
	1 Number of Injured Employees Prepared for BRC by an Ombudsman	4,202.00	3,630.00	3,500.00	3,325.00	3,325.00
KEY	2 Number of Benefit Review Conferences with Ombudsman Assistance	4,484.00	3,950.00	3,700.00	3,515.00	3,515.00
	3 Number of Injured Employees Prepared for CCH by an Ombudsman	1,688.00	1,700.00	1,700.00	1,615.00	1,615.00
KEY	4 Number of Contested Case hearings with Ombudsman Assistance	2,056.00	1,885.00	1,885.00	1,791.00	1,791.00
KEY	5 Number of Injured Employees Prepared for an Appeal by an Ombudsman	564.00	575.00	550.00	522.00	522.00
Efficiency Measures:						
	1 Avg Days to Resolve a Disputed Issue Prior to Entering a Proceeding	0.00	12.00	12.00	12.00	12.00
Explanatory/Input Measures:						
	1 Avg Indemnity Cost Avoided/Injured Employee Assisted by Ombudsman	2,273.00	1,750.00	1,750.00	1,750.00	1,750.00
	2 Number of Disputed Issues Resolved Prior to Entering a Proceeding	3,160.00	5,687.00	5,700.00	5,415.00	5,415.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$3,524,072	\$3,520,432	\$3,718,738	\$3,862,403	\$3,862,403
1002	OTHER PERSONNEL COSTS	\$465,856	\$148,894	\$187,461	\$147,528	\$147,528
2001	PROFESSIONAL FEES AND SERVICES	\$6,550	\$17,805	\$32,901	\$16,654	\$16,654
2003	CONSUMABLE SUPPLIES	\$615	\$1,842	\$0	\$0	\$0
2004	UTILITIES	\$13,150	\$4,806	\$8,988	\$10,297	\$10,297
2005	TRAVEL	\$99,643	\$112,044	\$125,876	\$120,165	\$120,165
2006	RENT - BUILDING	\$513	\$588	\$0	\$0	\$0

3.A. STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:57:19AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL:	1	Assist Individual Injured Employees through the Ombudsman Program	Statewide Goal/Benchmark:	7	5
OBJECTIVE:	1	Assist Unrepresented Injured Employees in Dispute Resolution	Service Categories:		
STRATEGY:	1	Assist Unrepresented Injured Employees in Dispute Resolution	Service:	17	Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
2007	RENT - MACHINE AND OTHER	\$944	\$1,181	\$0	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$186,237	\$154,982	\$197,324	\$42,722	\$42,722
TOTAL, OBJECT OF EXPENSE		\$4,297,580	\$3,962,574	\$4,271,288	\$4,199,769	\$4,199,769
 Method of Financing:						
36	Dept Ins Operating Acct	\$4,297,580	\$3,962,574	\$4,271,288	\$4,199,769	\$4,199,769
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$4,297,580	\$3,962,574	\$4,271,288	\$4,199,769	\$4,199,769
 TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$4,199,769	\$4,199,769
 TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$4,297,580	\$3,962,574	\$4,271,288	\$4,199,769	\$4,199,769
 FULL TIME EQUIVALENT POSITIONS:		83.1	82.2	88.2	104.0	104.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Office of Injured Employee Counsel (OIEC) is directed by statute (Labor Code, Chapter 404) to prepare unrepresented injured employees and assist them in DWC's administrative dispute resolution proceedings. OIEC is also required to maintain an Ombudsman Program to assist injured employees in obtaining workers' compensation benefits.

The Ombudsman Program consists of highly-trained employees who assist unrepresented injured employees with disputes relating to their workers' compensation claim at no cost to the injured employees of Texas. Ombudsmen strive to resolve disputed issues prior to an administrative dispute resolution proceeding. Ombudsmen assist unrepresented injured employees: 1) before and during Benefit Review Conferences (mediation) and Contested Case Hearings (administrative hearings), 2) in appeals of the Hearing Officer's decision through the Appeals Panel, and 3) in administrative proceedings pending before the State Office of Administrative Hearings.

A reduction in funds appropriated to this strategy will limit the agency's ability to protect an injured employee's rights in the workers' compensation system and obtain their rightful benefits. Injured employees are particularly vulnerable in disputes pertaining to medical benefits because fees resulting from attorney representation can only be paid through an injured employee's indemnity benefits. All injured employees that may or may not receive indemnity benefits can choose the free assistance provided through the Ombudsman Program to obtain their rightful benefits.

3.A. STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:57:19AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL:	1	Assist Individual Injured Employees through the Ombudsman Program	Statewide Goal/Benchmark:	7	5
OBJECTIVE:	1	Assist Unrepresented Injured Employees in Dispute Resolution	Service Categories:		
STRATEGY:	1	Assist Unrepresented Injured Employees in Dispute Resolution	Service:	17	Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
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EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

- Volume of injured employees represented by attorneys
- Volume of injured employees who request assistance from the Ombudsman Program
- Volume of disputes or issues within the workers' compensation system for unrepresented injured employees
- Changes in workers' compensation laws or rules that impact injured employees (e.g., Entergy v. Summers)
- Policy, procedure, or process changes within TDI or DWC that impact injured employees
- Extent of clerical and administrative duties required to be performed by Ombudsmen which reduce time that can be spent on resolving disputes
- Ability to attract and retain qualified staff
- Ability to attract and retain staff that are able to provide personal assistance to non-English speaking injured employees
- Extent of budget reductions

3.A. STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:57:19AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL:	2	Increase Injured Employee Education and Provide Referrals	Statewide Goal/Benchmark:	7	5
OBJECTIVE:	1	Inform Injured Employees/System Participants and Provide Referrals	Service Categories:		
STRATEGY:	1	Assist Injured Employees & Provide Referrals to Programs & Services	Service:	17	Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
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Output Measures:

KEY	1	# of Injured Employees Reached About Rights and Responsibilities	197,945.00	185,000.00	185,000.00	185,000.00	185,000.00
	2	Number of Phone Calls Where Injured Employees Were Educated/Assisted	272,102.00	273,000.00	273,000.00	259,350.00	259,350.00
	3	Number of Injured Employees Assisted at Local Field Offices	15,778.00	22,250.00	22,250.00	21,137.00	21,137.00
	4	Number of Public Outreach Presentations Performed	91.00	80.00	80.00	76.00	76.00
	5	Number of Referrals to DARS, TWC and TDI	6,316.00	9,400.00	9,400.00	8,930.00	8,930.00

Efficiency Measures:

KEY	1	Avg Days from Date of Injury to Date an Injured Employee is Contacted	19.96	18.10	18.00	18.00	18.00
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Objects of Expense:

1001	SALARIES AND WAGES	\$2,390,259	\$2,563,799	\$2,762,643	\$1,265,442	\$1,265,442
1002	OTHER PERSONNEL COSTS	\$165,014	\$49,920	\$37,734	\$55,151	\$55,151
2001	PROFESSIONAL FEES AND SERVICES	\$3,962	\$13,000	\$24,022	\$6,226	\$6,226
2003	CONSUMABLE SUPPLIES	\$372	\$1,345	\$0	\$0	\$0
2004	UTILITIES	\$7,955	\$3,509	\$6,563	\$3,849	\$3,849
2005	TRAVEL	\$58,513	\$80,749	\$91,906	\$44,921	\$44,921
2006	RENT - BUILDING	\$311	\$429	\$0	\$0	\$0
2007	RENT - MACHINE AND OTHER	\$570	\$862	\$0	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$112,827	\$113,158	\$144,073	\$15,971	\$15,971
TOTAL, OBJECT OF EXPENSE		\$2,739,783	\$2,826,771	\$3,066,941	\$1,391,560	\$1,391,560

Method of Financing:

36	Dept Ins Operating Acct	\$2,739,783	\$2,826,771	\$3,066,941	\$1,391,560	\$1,391,560
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3.A. STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:57:19AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL:	2	Increase Injured Employee Education and Provide Referrals	Statewide Goal/Benchmark:	7	5
OBJECTIVE:	1	Inform Injured Employees/System Participants and Provide Referrals	Service Categories:		
STRATEGY:	1	Assist Injured Employees & Provide Referrals to Programs & Services	Service:	17	Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$2,739,783	\$2,826,771	\$3,066,941	\$1,391,560	\$1,391,560
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,391,560	\$1,391,560
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$2,739,783	\$2,826,771	\$3,066,941	\$1,391,560	\$1,391,560
FULL TIME EQUIVALENT POSITIONS:		65.9	71.2	77.3	40.0	40.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Office of Injured Employee Counsel (OIEC) is directed by statute (Labor Code, Chapter 404) to provide injured employees with information about their rights and responsibilities; refer injured employees to local, state, and federal programs offering financial assistance, rehabilitation, work placement, or social services; and refer complaints to licensing boards and regulatory agencies.

OIEC provides assistance and information in-person to injured employees who visit their local field office and through telephone calls made or received on behalf of injured employees. OIEC also provides brochures and other outreach materials to workers' compensation system participants and performs public presentations to educate the general public regarding its purpose and services.

A reduction in funds appropriated to this strategy will create operational difficulties in the agency's 23 field offices and three satellite offices located statewide, and the injured employees of Texas would be adversely affected. Additionally, a reduction will limit the agency's ability to provide injured employee's with: 1) information to enable them to effectively navigate through the workers' compensation system, and 2) additional opportunities to ensure receipt of appropriate benefits and return to work.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

3.A. STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:57:19AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL:	2	Increase Injured Employee Education and Provide Referrals	Statewide Goal/Benchmark:	7	5
OBJECTIVE:	1	Inform Injured Employees/System Participants and Provide Referrals	Service Categories:		
STRATEGY:	1	Assist Injured Employees & Provide Referrals to Programs & Services	Service:	17	Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
<ul style="list-style-type: none"> • Level of interest from the public regarding OIEC and its purpose • Injured employee awareness of the existence of OIEC • Number of active workers' compensation claims • Access to resources in order to provide educational materials and services to internal and external customers • Changes in workers' compensation laws or rules that impact injured employees • Policy, procedure, or process changes within TDI or DWC that impact injured employees • Ability to attract and retain qualified staff • Availability of programs and services that can assist injured employees • Licensing boards or regulatory entities actions regarding complaints • Ability to attract and retain staff that are able to provide personal assistance to non-English speaking injured employees • Extent of budget reductions 						

3.A. STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:57:19AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 3 Advocate for Injured Employees As a Class Statewide Goal/Benchmark: 7 5
OBJECTIVE: 1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource Service Categories:
STRATEGY: 1 Advocate for Injured Employees Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
Output Measures:						
KEY 1	Number of Adopted Workers' Compensation Rules Analyzed by OIEC	10.00	8.00	9.00	9.00	9.00
KEY 2	# of Adopted Workers' Compensation Rules in Which OIEC Participated	7.00	7.00	8.00	9.00	9.00
3	Number of Rules Changed as a Result of OIEC Participation	2.00	6.00	7.00	7.00	7.00
4	Number of Assists a Regional Staff Attorney Provides to an Ombudsman	2,400.00	3,000.00	2,400.00	2,280.00	2,280.00
Explanatory/Input Measures:						
1	Number of Workers' Compensation Rules Adopted	10.00	8.00	9.00	9.00	9.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$454,734	\$605,946	\$645,103	\$1,691,994	\$1,691,994
1002	OTHER PERSONNEL COSTS	\$44,254	\$24,727	\$20,225	\$42,742	\$42,742
2001	PROFESSIONAL FEES AND SERVICES	\$2,261	\$3,129	\$5,782	\$4,825	\$4,825
2003	CONSUMABLE SUPPLIES	\$212	\$324	\$0	\$0	\$0
2004	UTILITIES	\$4,539	\$845	\$1,579	\$2,983	\$2,983
2005	TRAVEL	\$33,594	\$19,516	\$22,118	\$34,814	\$34,814
2006	RENT - BUILDING	\$177	\$103	\$0	\$0	\$0
2007	RENT - MACHINE AND OTHER	\$326	\$207	\$0	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$63,262	\$27,232	\$34,674	\$12,378	\$12,378
TOTAL, OBJECT OF EXPENSE		\$603,359	\$682,029	\$729,481	\$1,789,736	\$1,789,736
Method of Financing:						
36	Dept Ins Operating Acct	\$603,359	\$682,029	\$729,481	\$1,789,736	\$1,789,736
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$603,359	\$682,029	\$729,481	\$1,789,736	\$1,789,736

3.A. STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:57:19AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL:	3	Advocate for Injured Employees As a Class	Statewide Goal/Benchmark:	7	5
OBJECTIVE:	1	Ensure Adequate Rules to Protect Injured Employees and Act as Resource	Service Categories:		
STRATEGY:	1	Advocate for Injured Employees	Service:	17	Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,789,736	\$1,789,736
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$603,359	\$682,029	\$729,481	\$1,789,736	\$1,789,736
FULL TIME EQUIVALENT POSITIONS:		7.5	9.2	9.5	25.0	25.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Office of Injured Employee Counsel (OIEC) is directed by statute (Labor Code, Chapter 404) to advocate on behalf of injured employees as a class in judicial, legislative, rulemaking, and administrative processes and ensure injured employee's rights are protected. Under Labor Code §404.103 (b), the Public Counsel may assign staff attorneys to advise Ombudsmen in providing assistance to injured employees.

OIEC actively participates in the workers' compensation rulemaking process on behalf of the injured employees of Texas and protects their interests as a class. OIEC also determines whether there are issues pending before either the Texas appellate courts or the Supreme Court where OIEC needs to serve as a voice for injured employees.

Regional Staff Attorneys supervise the work of the Ombudsman Program and are provided as a legal resource to advise Ombudsmen and other OIEC employees in providing assistance to injured employees in preparation for informal and formal hearings.

OIEC monitors and analyzes internal and system-wide procedures and performance to ensure injured employee's rights are protected statewide. A Legislative report, required by statute (Labor Code §404.106), is produced by OIEC to inform lawmakers and other interested individuals on the state of the workers' compensation system, and legislative recommendations from the perspective of injured employees as a class.

A reduction in funds appropriated to this strategy will limit the agency's ability to effectively and efficiently advocate on behalf of injured employees as a class.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

3.A. STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
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DATE: 8/25/2010
TIME: 7:57:19AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL:	3	Advocate for Injured Employees As a Class	Statewide Goal/Benchmark:	7	5
OBJECTIVE:	1	Ensure Adequate Rules to Protect Injured Employees and Act as Resource	Service Categories:		
STRATEGY:	1	Advocate for Injured Employees	Service:	17	Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
<ul style="list-style-type: none"> • Injured employees' perception of fairness within the Texas workers' compensation system • Level of participation by all parties in the rulemaking process • Rules proposed by TDI or DWC that impact injured employees • Adoption of rule language by TDI or DWC that incorporate OIEC's public comments • Policy, procedure, or process changes within TDI or DWC that impact injured employees • Ability to attract and retain qualified personnel • Internal audit and process review findings that require agency action • Ability to acquire appropriate data to analyze and report pertaining to agency and system performance • Extent of budget reductions • Ability to attract and retain staff that are able to provide assistance to non-English speaking injured employees 						

3.A. STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:57:19AM

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$7,640,722	\$7,471,374	\$8,067,710	\$7,381,065	\$7,381,065
METHODS OF FINANCE (INCLUDING RIDERS):				\$7,381,065	\$7,381,065
METHODS OF FINANCE (EXCLUDING RIDERS):	\$7,640,722	\$7,471,374	\$8,067,710	\$7,381,065	\$7,381,065
FULL TIME EQUIVALENT POSITIONS:	156.5	162.6	175.0	169.0	169.0

3.B. Rider Revisions and Additions Request

Agency Code: 448	Agency Name: Office of Injured Employee Counsel	Prepared By: Brian White, Deputy Public Counsel	Date: August 30, 2010	Request Level: Base
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Current Rider Number	Page Number in 2010-11 GAA	Proposed Rider Language
2	VIII-16	<p>Unexpended Balance Authority. Any unexpended balances as of August 31, 20102012, not to exceed 5 percent for any item of appropriation, are hereby appropriated to the Office of Injured Employee Counsel for the same purposes for the fiscal year ending August 31, 20112013.</p> <p><i>The dates have been changed to reflect the FY 2012-2013 biennium.</i></p> <p><i>OIEC is requesting unexpended balance authority to avoid the adverse impact that an agency of its size and structure incurs when unspent monies are not transferable to the second year of the biennium. By granting unexpended balance authority, the agency is better able to fund and implement plans to improve injured employee services based on a 24-month budget cycle.</i></p>

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4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/25/2010**
TIME: **7:58:24AM**

Agency code: **448**

Agency name:

Office of Injured Employee Counsel

CODE	DESCRIPTION	Excp 2012	Excp 2013
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Item Name: Salaries from 5% Baseline Reduction - \$316,954

Item Priority: 1

Includes Funding for the Following Strategy or Strategies:

01-01-01	Assist Unrepresented Injured Employees in Dispute Resolution
02-01-01	Assist Injured Employees & Provide Referrals to Programs & Services

OBJECTS OF EXPENSE:

1001	SALARIES AND WAGES	158,477	158,477
TOTAL, OBJECT OF EXPENSE		\$158,477	\$158,477

METHOD OF FINANCING:

36	Dept Ins Operating Acct	158,477	158,477
TOTAL, METHOD OF FINANCING		\$158,477	\$158,477

FULL-TIME EQUIVALENT POSITIONS (FTE):	6.00	6.00
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DESCRIPTION / JUSTIFICATION:

While OIEC is committed to providing high quality services to every unrepresented injured employee, the agency anticipates that the reduction in staff may affect the ability to maintain quality customer service in select field offices. A reduction in salaries and wages results in a reduction-in-force of at least six full-time equivalents (FTEs) over the biennium, and an agency with a budget that is at least 97 percent dedicated to salaries.

EXTERNAL/INTERNAL FACTORS:

4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/25/2010**
TIME: **7:58:24AM**

Agency code: **448**

Agency name:

Office of Injured Employee Counsel

CODE	DESCRIPTION	Excp 2012	Excp 2013
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Item Name: Other Operating (Outreach) from 5% Baseline = \$310,000.

Item Priority: 2

Includes Funding for the Following Strategy or Strategies:

01-01-01	Assist Unrepresented Injured Employees in Dispute Resolution
02-01-01	Assist Injured Employees & Provide Referrals to Programs & Services
03-01-01	Advocate for Injured Employees

OBJECTS OF EXPENSE:

2009	OTHER OPERATING EXPENSE	155,000	155,000
TOTAL, OBJECT OF EXPENSE		\$155,000	\$155,000

METHOD OF FINANCING:

36	Dept Ins Operating Acct	155,000	155,000
TOTAL, METHOD OF FINANCING		\$155,000	\$155,000

DESCRIPTION / JUSTIFICATION:

Outreach efforts are a critical part of OIEC's mission to assist, educate, and advocate on behalf of the injured employees in Texas. TDI conducts a biennial survey of employers. The results of the survey indicate that Texas employers have become more educated about HB 7 and recent workers' compensation reforms. OIEC believes this improvement is a result of the agency's exhaustive education efforts. Specifically, OIEC has developed various tools to educate injured employees and assist them in navigating through the dispute resolution process. OIEC also provides outreach and education to workers' compensation system participants and the public about the agency's services. Labor Code §404.154 and §404.004 statutorily mandate the agency to widely disseminate information about the ombudsman program and prepare educational information of public interest, respectively. A reduction in this category impacts the ability for OIEC to provide outreach materials, to disseminate information to injured employees and other parties in the workers' compensation system, and to make public presentations to fulfill the agency's goal to educate. In addition to providing information on the agency website, OIEC provides hardcopy outreach materials, such as brochures and pamphlets, to injured employees because many injured employees do not have access to the internet. Specifically, OIEC's Customer Satisfaction Survey indicated that 79 percent of the respondents had never accessed OIEC's website, and of those 57 percent had no internet access at home.

Additionally, a reduction in other operating funds will hinder the ability for OIEC to provide statutorily mandated licenses, license renewals, certifications, and recertifications, such as Workers' Compensation Adjuster's Licenses, Texas State Bar Licenses, and Senior Professional in Human Resources (SPHR) recertification, and CPA License for OIEC's Internal Auditor.

EXTERNAL/INTERNAL FACTORS:

4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/25/2010**
TIME: **7:58:24AM**

Agency code: **448**

Agency name:

Office of Injured Employee Counsel

CODE	DESCRIPTION	Excp 2012	Excp 2013
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Item Name: Travel from 5% Baseline = \$80,000

Item Priority: 3

Includes Funding for the Following Strategy or Strategies:

01-01-01	Assist Unrepresented Injured Employees in Dispute Resolution
02-01-01	Assist Injured Employees & Provide Referrals to Programs & Services
03-01-01	Advocate for Injured Employees

OBJECTS OF EXPENSE:

2005 TRAVEL

40,000

40,000

TOTAL, OBJECT OF EXPENSE

\$40,000

\$40,000

METHOD OF FINANCING:

36 Dept Ins Operating Acct

40,000

40,000

TOTAL, METHOD OF FINANCING

\$40,000

\$40,000

DESCRIPTION / JUSTIFICATION:

A reduction in travel would limit the number of Ombudsman observations performed and docketing coverage for dispute resolution proceedings. Agency training will be adversely affected by a reduction in travel necessary to attend required training. Approximately 25 percent of the Ombudsman Program and Regional Staff Attorney training will be eliminated due to a reduction in travel, including travel required for training for continuing education hours for Workers' Compensation Adjuster's License, Minimum Continuing Legal Education (MCLE) hours, and requirements for membership in the College of the State Bar of Texas for Regional Staff Attorneys. Additionally, quality assurance reviews to identify potential areas of improvement within the agency will decrease, and the agency is likely to have difficulty ensuring that services are consistent statewide and that injured employees' rights are being protected.

OIEC is actively involved in workers' compensation on a national basis. The International Association of Industrial Accident Boards and Commissions (IAIABC) and other states have publicly recognized OIEC as a national model. A reduction in travel will eliminate OIEC's participation at the annual IAIABC conference and other national platforms that highlight Texas' accomplishments in this arena and provide OIEC with important benchmarking opportunities.

EXTERNAL/INTERNAL FACTORS:

4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/25/2010**
TIME: **7:58:24AM**

Agency code: **448**

Agency name:

Office of Injured Employee Counsel

CODE	DESCRIPTION	Excp 2012	Excp 2013
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Item Name: Professional Fees and Services
from 5% Baseline = \$70,000.

Item Priority: 4

Includes Funding for the Following Strategy or Strategies:

01-01-01	Assist Unrepresented Injured Employees in Dispute Resolution
02-01-01	Assist Injured Employees & Provide Referrals to Programs & Services
03-01-01	Advocate for Injured Employees

OBJECTS OF EXPENSE:

2001 PROFESSIONAL FEES AND SERVICES

35,000 35,000

TOTAL, OBJECT OF EXPENSE

\$35,000 \$35,000

METHOD OF FINANCING:

36 Dept Ins Operating Acct

35,000 35,000

TOTAL, METHOD OF FINANCING

\$35,000 \$35,000

DESCRIPTION / JUSTIFICATION:

OIEC's role as an advocate and a system participant within the workers' compensation system is unique. As such, OIEC contracts with external vendors to produce non-biased, research intensive Customer Satisfaction Surveys for strategic planning and benchmarking purposes. The reduction results in OIEC producing this report internally by absorbing the function within the agency's Quality Assurance Section. As a result, OIEC's Quality Assurance Section is adversely impacted by over 25 percent. Other expenditures funded through Professional Fees/Services that may be adversely impacted by this reduction include the following:

- Temporary employees that aid staff in completing special projects, such as outreach material packaging and distribution;
- Defensive driving courses for employees that frequently travel, which was recommended by the State Office of Risk Management;
- Worker's Assistance Program expenses that is available for employees to balance professional and personal life;
- Unemployment insurance mandated by §15.01 of the General Appropriations Act;
- Interagency contract for review services provided by the Texas Workforce Commission's Civil Rights Division as required by Texas Labor Code §21.451-456;
- Speakers/Presenters invited to present information at agency conferences, which is needed to relay technical medical information for medical dispute resolution; and
- Medical professionals hired for medical consultation services and expert witness testimony to assist the Ombudsman Program in medical dispute resolution proceedings. More than half of the medical dispute resolution proceedings include Ombudsman assistance. A medical consultant position would be an asset to the agency and could provide assistance to Ombudsmen and other OIEC staff regarding medical dispute resolution, medical research, and other related issues. OIEC is not requesting a medical consultant position at this time due to the current economic climate.

EXTERNAL/INTERNAL FACTORS:

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

DATE: 8/25/2010

82nd Regular Session, Agency Submission, Version 1

TIME: 7:59:21AM

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 448 Agency name: Office of Injured Employee Counsel

Code	Description	Excp 2012	Excp 2013
Item Name:		Salaries from 5% Baseline Reduction - \$316,954	
Allocation to Strategy:		1-1-1	Assist Unrepresented Injured Employees in Dispute Resolution
STRATEGY IMPACT ON OUTCOME MEASURES:			
<u>2</u>	% Dispute Resolution Proceedings at DWC with Ombudsman Assistance	39.00%	39.00%
<u>3</u>	% CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist	38.00%	38.00%
<u>4</u>	Percentage of Appeal Issues Prevailed with Ombudsman Assistance	35.00%	35.00%
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	158,477	158,477
TOTAL, OBJECT OF EXPENSE		\$158,477	\$158,477
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	158,477	158,477
TOTAL, METHOD OF FINANCING		\$158,477	\$158,477
FULL-TIME EQUIVALENT POSITIONS (FTE):		6.0	6.0

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

82nd Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/25/2010**TIME: **7:59:21AM**

Agency code:	448	Agency name	Office of Injured Employee Counsel
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Code	Description	Excp 2012	Excp 2013
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Item Name:	Salaries from 5% Baseline Reduction - \$316,954
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Allocation to Strategy:	2-1-1	Assist Injured Employees & Provide Referrals to Programs & Services
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OUTPUT MEASURES:

<u>2</u>	Number of Phone Calls Where Injured Employees Were Educated/Assisted	6,825.00	6,825.00
<u>3</u>	Number of Injured Employees Assisted at Local Field Offices	556.00	556.00
<u>5</u>	Number of Referrals to DARS, TWC and TDI	235.00	235.00

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

DATE: 8/25/2010

82nd Regular Session, Agency Submission, Version 1

TIME: 7:59:21AM

Automated Budget and Evaluation System of Texas (ABEST)

Agency code:	448	Agency name	Office of Injured Employee Counsel	
Code	Description		Excp 2012	Excp 2013
Item Name:	Other Operating (Outreach) from 5% Baseline = \$310,000.			
Allocation to Strategy:	1-1-1	Assist Unrepresented Injured Employees in Dispute Resolution		
STRATEGY IMPACT ON OUTCOME MEASURES:				
1	% Disputes Resolved Prior to TDI Dispute Resolution Process		37.00%	37.00%
OUTPUT MEASURES:				
1	Number of Injured Employees Prepared for BRC by an Ombudsman		175.00	175.00
2	Number of Benefit Review Conferences with Ombudsman Assistance		185.00	185.00
3	Number of Injured Employees Prepared for CCH by an Ombudsman		85.00	85.00
4	Number of Contested Case hearings with Ombudsman Assistance		94.00	94.00
5	Number of Injured Employees Prepared for an Appeal by an Ombudsman		28.00	28.00
OBJECTS OF EXPENSE:				
2009	OTHER OPERATING EXPENSE		89,900	89,900
TOTAL, OBJECT OF EXPENSE			\$89,900	\$89,900
METHOD OF FINANCING:				
36	Dept Ins Operating Acct		89,900	89,900
TOTAL, METHOD OF FINANCING			\$89,900	\$89,900

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

DATE: 8/25/2010

82nd Regular Session, Agency Submission, Version 1

TIME: 7:59:21AM

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 448 Agency name: Office of Injured Employee Counsel

Code	Description	Excp 2012	Excp 2013
Item Name:		Other Operating (Outreach) from 5% Baseline = \$310,000.	
Allocation to Strategy:		2-1-1	Assist Injured Employees & Provide Referrals to Programs & Services
OUTPUT MEASURES:			
<u>2</u>	Number of Phone Calls Where Injured Employees Were Educated/Assisted	6,825.00	6,825.00
<u>3</u>	Number of Injured Employees Assisted at Local Field Offices	557.00	557.00
<u>4</u>	Number of Public Outreach Presentations Performed	2.00	2.00
<u>5</u>	Number of Referrals to DARS, TWC and TDI	235.00	235.00
OBJECTS OF EXPENSE:			
2009	OTHER OPERATING EXPENSE	31,000	31,000
TOTAL, OBJECT OF EXPENSE		\$31,000	\$31,000
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	31,000	31,000
TOTAL, METHOD OF FINANCING		\$31,000	\$31,000

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:21AM

Agency code:	448	Agency name	Office of Injured Employee Counsel	
Code	Description		Excp 2012	Excp 2013
Item Name:	Other Operating (Outreach) from 5% Baseline = \$310,000.			
Allocation to Strategy:	3-1-1	Advocate for Injured Employees		
OUTPUT MEASURES:				
4	Number of Assists a Regional Staff Attorney Provides to an Ombudsman		120.00	120.00
OBJECTS OF EXPENSE:				
2009	OTHER OPERATING EXPENSE		34,100	34,100
TOTAL, OBJECT OF EXPENSE			\$34,100	\$34,100
METHOD OF FINANCING:				
36	Dept Ins Operating Acct		34,100	34,100
TOTAL, METHOD OF FINANCING			\$34,100	\$34,100

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:21AM

Agency code:	448	Agency name	Office of Injured Employee Counsel		
Code	Description		Excp 2012	Excp 2013	
Item Name:	Travel from 5% Baseline = \$80,000				
Allocation to Strategy:	1-1-1	Assist Unrepresented Injured Employees in Dispute Resolution			
OBJECTS OF EXPENSE:					
2005	TRAVEL		23,200	23,200	
TOTAL, OBJECT OF EXPENSE			\$23,200	\$23,200	
METHOD OF FINANCING:					
36	Dept Ins Operating Acct		23,200	23,200	
TOTAL, METHOD OF FINANCING			\$23,200	\$23,200	

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:21AM

Agency code:	448	Agency name	Office of Injured Employee Counsel		
Code	Description		Excp 2012	Excp 2013	
Item Name:	Travel from 5% Baseline = \$80,000				
Allocation to Strategy:	2-1-1	Assist Injured Employees & Provide Referrals to Programs & Services			
OUTPUT MEASURES:					
4	Number of Public Outreach Presentations Performed		2.00	2.00	
OBJECTS OF EXPENSE:					
2005	TRAVEL		8,000	8,000	
TOTAL, OBJECT OF EXPENSE			\$8,000	\$8,000	
METHOD OF FINANCING:					
36	Dept Ins Operating Acct		8,000	8,000	
TOTAL, METHOD OF FINANCING			\$8,000	\$8,000	

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:21AM

Agency code:	448	Agency name	Office of Injured Employee Counsel		
Code	Description		Excp 2012	Excp 2013	
Item Name:	Travel from 5% Baseline = \$80,000				
Allocation to Strategy:	3-1-1	Advocate for Injured Employees			
OBJECTS OF EXPENSE:					
2005	TRAVEL		8,800	8,800	
TOTAL, OBJECT OF EXPENSE			\$8,800	\$8,800	
METHOD OF FINANCING:					
36	Dept Ins Operating Acct		8,800	8,800	
TOTAL, METHOD OF FINANCING			\$8,800	\$8,800	

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:21AM

Agency code:	448	Agency name	Office of Injured Employee Counsel		
Code	Description		Excp 2012	Excp 2013	
Item Name:	Professional Fees and Services from 5% Baseline = \$70,000.				
Allocation to Strategy:	1-1-1	Assist Unrepresented Injured Employees in Dispute Resolution			
OBJECTS OF EXPENSE:					
2001	PROFESSIONAL FEES AND SERVICES		20,300	20,300	
TOTAL, OBJECT OF EXPENSE			\$20,300	\$20,300	
METHOD OF FINANCING:					
36	Dept Ins Operating Acct		20,300	20,300	
TOTAL, METHOD OF FINANCING			\$20,300	\$20,300	

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:21AM

Agency code:	448	Agency name	Office of Injured Employee Counsel		
Code	Description		Excp 2012	Excp 2013	
Item Name:	Professional Fees and Services from 5% Baseline = \$70,000.				
Allocation to Strategy:	2-1-1	Assist Injured Employees & Provide Referrals to Programs & Services			
OBJECTS OF EXPENSE:					
2001	PROFESSIONAL FEES AND SERVICES		7,000	7,000	
TOTAL, OBJECT OF EXPENSE			\$7,000	\$7,000	
METHOD OF FINANCING:					
36	Dept Ins Operating Acct		7,000	7,000	
TOTAL, METHOD OF FINANCING			\$7,000	\$7,000	

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:21AM

Agency code:	448	Agency name	Office of Injured Employee Counsel		
Code	Description		Excp 2012	Excp 2013	
Item Name:	Professional Fees and Services from 5% Baseline = \$70,000.				
Allocation to Strategy:	3-1-1	Advocate for Injured Employees			
OBJECTS OF EXPENSE:					
2001	PROFESSIONAL FEES AND SERVICES		7,700	7,700	
TOTAL, OBJECT OF EXPENSE			\$7,700	\$7,700	
METHOD OF FINANCING:					
36	Dept Ins Operating Acct		7,700	7,700	
TOTAL, METHOD OF FINANCING			\$7,700	\$7,700	

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4.C. EXCEPTIONAL ITEMS STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:57AM

Agency Code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program Statewide Goal/Benchmark: 7 - 5
OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service Categories:
STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Excp 2012	Excp 2013
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u>	% Disputes Resolved Prior to TDI Dispute Resolution Process	37.00 %	37.00 %
<u>2</u>	% Dispute Resolution Proceedings at DWC with Ombudsman Assistance	39.00 %	39.00 %
<u>3</u>	% CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist	38.00 %	38.00 %
<u>4</u>	Percentage of Appeal Issues Prevailed with Ombudsman Assistance	35.00 %	35.00 %

OUTPUT MEASURES:

<u>1</u>	Number of Injured Employees Prepared for BRC by an Ombudsman	175.00	175.00
<u>2</u>	Number of Benefit Review Conferences with Ombudsman Assistance	185.00	185.00
<u>3</u>	Number of Injured Employees Prepared for CCH by an Ombudsman	85.00	85.00
<u>4</u>	Number of Contested Case hearings with Ombudsman Assistance	94.00	94.00
<u>5</u>	Number of Injured Employees Prepared for an Appeal by an Ombudsman	28.00	28.00

EXPLANATORY/INPUT MEASURES:

<u>2</u>	Number of Disputed Issues Resolved Prior to Entering a Proceeding	285.00	285.00
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OBJECTS OF EXPENSE:

1001	SALARIES AND WAGES	158,477	158,477
2001	PROFESSIONAL FEES AND SERVICES	20,300	20,300
2005	TRAVEL	23,200	23,200
2009	OTHER OPERATING EXPENSE	89,900	89,900
Total, Objects of Expense		\$291,877	\$291,877

METHOD OF FINANCING:

36	Dept Ins Operating Acct	291,877	291,877
Total, Method of Finance		\$291,877	\$291,877

4.C. EXCEPTIONAL ITEMS STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:57AM

Agency Code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program Statewide Goal/Benchmark: 7 - 5
OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service Categories:
STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service: 17 Income: A.2 Age: B.3

<u>CODE</u>	<u>DESCRIPTION</u>	<u>Excp 2012</u>	<u>Excp 2013</u>
FULL-TIME EQUIVALENT POSITIONS (FTE):		6.0	6.0

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Salaries from 5% Baseline Reduction - \$316,954

Other Operating (Outreach) from 5% Baseline = \$310,000.

Travel from 5% Baseline = \$80,000

Professional Fees and Services
from 5% Baseline = \$70,000.

4.C. EXCEPTIONAL ITEMS STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:57AM

Agency Code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 2 Increase Injured Employee Education and Provide Referrals Statewide Goal/Benchmark: 7 - 5
OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals Service Categories:
STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services Service: 17 Income: A.2 Age: B.3

CODE DESCRIPTION	Excp 2012	Excp 2013
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u> % Injured Employees Reached by OIEC Efforts	96.00 %	96.00 %
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OUTPUT MEASURES:

<u>2</u> Number of Phone Calls Where Injured Employees Were Educated/Assisted	13,650.00	13,650.00
<u>3</u> Number of Injured Employees Assisted at Local Field Offices	1,113.00	1,113.00
<u>4</u> Number of Public Outreach Presentations Performed	4.00	4.00
<u>5</u> Number of Referrals to DARS, TWC and TDI	470.00	470.00

OBJECTS OF EXPENSE:

2001 PROFESSIONAL FEES AND SERVICES	7,000	7,000
2005 TRAVEL	8,000	8,000
2009 OTHER OPERATING EXPENSE	31,000	31,000
Total, Objects of Expense	\$46,000	\$46,000

METHOD OF FINANCING:

36 Dept Ins Operating Acct	46,000	46,000
Total, Method of Finance	\$46,000	\$46,000

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Salaries from 5% Baseline Reduction - \$316,954

Other Operating (Outreach) from 5% Baseline = \$310,000.

Travel from 5% Baseline = \$80,000

Professional Fees and Services
from 5% Baseline = \$70,000.

4.C. EXCEPTIONAL ITEMS STRATEGY REQUEST
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME: 7:59:57AM

Agency Code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 3 Advocate for Injured Employees As a Class Statewide Goal/Benchmark: 7 - 5
OBJECTIVE: 1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource Service Categories:
STRATEGY: 1 Advocate for Injured Employees Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Excp 2012	Excp 2013
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u>	Percentage of Adopted Workers' Compensation Rules Analyzed	100.00 %	100.00 %
<u>2</u>	Percent Adopted WC Rules in which OIEC Participated	100.00 %	100.00 %
<u>3</u>	Percentage of Rules Changed for the Benefit of Injured Employees	78.00 %	78.00 %

OUTPUT MEASURES:

<u>4</u>	Number of Assists a Regional Staff Attorney Provides to an Ombudsman	120.00	120.00
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OBJECTS OF EXPENSE:

2001	PROFESSIONAL FEES AND SERVICES	7,700	7,700
2005	TRAVEL	8,800	8,800
2009	OTHER OPERATING EXPENSE	34,100	34,100
Total, Objects of Expense		\$50,600	\$50,600

METHOD OF FINANCING:

36	Dept Ins Operating Acct	50,600	50,600
Total, Method of Finance		\$50,600	\$50,600

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Other Operating (Outreach) from 5% Baseline = \$310,000.

Travel from 5% Baseline = \$80,000

Professional Fees and Services
from 5% Baseline = \$70,000.

6.A. HISTORICALLY UNDERUTILIZED BUSINESS SUPPORTING SCHEDULE

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 8/25/2010
Time: 8:01:31AM

Agency Code: 448 Agency: Office of Injured Employee Counsel

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS**A. Fiscal Year 2008 - 2009 HUB Expenditure Information**

Statewide HUB Goals	Procurement Category	<u>HUB Expenditures FY 2008</u>				<u>Total Expenditures FY 2008</u>		<u>HUB Expenditures FY 2009</u>				<u>Total Expenditures FY 2009</u>
		% Goal	% Actual	Diff	Actual \$			% Goal	% Actual	Diff	Actual \$	
11.9%	Heavy Construction	0.0 %	0.0%	0.0%	\$0	\$0		0.0 %	0.0%	0.0%	\$0	\$0
26.1%	Building Construction	0.0 %	0.0%	0.0%	\$0	\$0		0.0 %	0.0%	0.0%	\$0	\$0
57.2%	Special Trade Construction	0.0 %	0.0%	0.0%	\$0	\$0		0.0 %	0.0%	0.0%	\$0	\$393
20.0%	Professional Services	0.0 %	0.0%	0.0%	\$0	\$0	100.0 %	100.0%	0.0%		\$11,686	\$11,686
33.0%	Other Services	0.7 %	0.6%	0.0%	\$161	\$24,832	0.1 %	0.1%	0.0%		\$286	\$251,222
12.6%	Commodities	71.1 %	71.1%	0.0%	\$57,092	\$80,273	55.3 %	55.3%	0.0%		\$19,483	\$35,213
	Total Expenditures		54.5%		\$57,253	\$105,105		10.5%			\$31,455	\$298,514

B. Assessment of Fiscal Year 2008 - 2009 Efforts to Meet HUB Procurement Goals**Attainment:**

The agency attained or exceeded one of the three, or 33.3 percent, of the applicable statewide HUB procurement goals in FY 2008.

The agency attained or exceeded two of the three, or 66.6 percent, of the applicable statewide HUB procurement goals in FY 2009.

Applicability:

OIEC's functions do not include construction; therefore, "Heavy Construction," "Building Construction," and "Special Trade Construction" categories are not applicable to the agency. However, OIEC did incur incidental construction expenses associated with building maintenance through the special trade category.

Factors Affecting Attainment:

Professional Services: OIEC awarded one professional service contract in 2008 and 2009. OIEC awarded an internal auditing services contract to a HUB vendor in 2008. The services were paid in 2009.

An internal audit position was appropriated by the 81st Texas Legislature to permanently fulfill the auditing requirements for the agency.

Other Services: OIEC awarded a public broadcasting service contract in 2008, and the services were renewed in 2009. The public broadcasting contract was competitively bid and awarded to a non-HUB. Approximately 86 percent of the "Other Services" Category expenditures were paid under this contract.

"Good-Faith" Efforts:

OIEC made the following good faith efforts in FY08 and 2009 in the commodities category. The Texas Department of Insurance provides procurement services for OIEC. TDI participated in several forums sponsored by organizations and businesses and governmental entities to locate businesses that would provide necessary goods and services for OIEC. In addition TDI participates in the quarterly HUB Discussion Group meetings.

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6.I 10 PERCENT BIENNIAL BASE REDUCTION OPTIONS
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 8/25/2010
Time: 8:00:36AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			TARGET
	2012	2013	Biennial Total	2012	2013	Biennial Total	
1 Travel reduction							
Category: Administrative - Travel							
Item Comment: Travel would be reduced an additional \$100,000 which would further limit the number of Ombudsman observations performed, docketing coverage for dispute proceedings, and agency training.							
Strategy: 1-1-1 Assist Unrepresented Injured Employees in Dispute Resolution							
<u>Gr Dedicated</u>							
36 Dept Ins Operating Acct	\$0	\$0	\$0	\$29,190	\$29,190	\$58,380	
Gr Dedicated Total	\$0	\$0	\$0	\$29,190	\$29,190	\$58,380	
Strategy: 2-1-1 Assist Injured Employees & Provide Referrals to Programs & Services							
<u>Gr Dedicated</u>							
36 Dept Ins Operating Acct	\$0	\$0	\$0	\$9,775	\$9,775	\$19,550	
Gr Dedicated Total	\$0	\$0	\$0	\$9,775	\$9,775	\$19,550	
Strategy: 3-1-1 Advocate for Injured Employees							
<u>Gr Dedicated</u>							
36 Dept Ins Operating Acct	\$0	\$0	\$0	\$11,035	\$11,035	\$22,070	
Gr Dedicated Total	\$0	\$0	\$0	\$11,035	\$11,035	\$22,070	
Item Total	\$0	\$0	\$0	\$50,000	\$50,000	\$100,000	

FTE Reductions (From FY 2012 and FY 2013 Base Request)

2 Salary Reduction

Category: Programs - Service Reductions (FTEs-Layoffs)

6.I 10 PERCENT BIENNIAL BASE REDUCTION OPTIONS
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 8/25/2010
Time: 8:00:36AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			TARGET																																
	2012	2013	Biennial Total	2012	2013	Biennial Total																																	
<p>Item Comment: The agency anticipates that the reduction in staff will affect the ability to maintain its quality customer service. The Ombudsman Program will be negatively impacted due to a reduction of staff, and the average days to resolve disputes would possibly increase. Budget cuts would affect the agency's early intervention efforts in resolving disputes prior to an administrative proceeding. Currently, OIEC resolves approximately 50% of disputed issues prior to notifying DWC of the dispute. A reduction in OIEC's early intervention efforts would increase costs to DWC's and the State Office of Administrative Hearings (SOAH)'s administrative dispute resolution process as more disputes would be adjudicated through the system. A reduction in salaries and wages results in a reduction-in-force of at least 10.5 full-time equivalents (FTEs), and an agency with a budget that is approximately 97 percent dedicated to salaries.</p> <p>Strategy: 1-1-1 Assist Unrepresented Injured Employees in Dispute Resolution</p> <p><u>Gr Dedicated</u></p> <table> <tr> <td>36 Dept Ins Operating Acct</td><td>\$0</td><td>\$0</td><td>\$0</td><td>\$319,053</td><td>\$319,054</td><td>\$638,107</td><td></td></tr> <tr> <td>Gr Dedicated Total</td><td>\$0</td><td>\$0</td><td>\$0</td><td>\$319,053</td><td>\$319,054</td><td>\$638,107</td><td></td></tr> <tr> <td>Item Total</td><td>\$0</td><td>\$0</td><td>\$0</td><td>\$319,053</td><td>\$319,054</td><td>\$638,107</td><td></td></tr> </table> <p>FTE Reductions (From FY 2012 and FY 2013 Base Request)</p> <table> <tr> <td></td><td></td><td></td><td></td><td>12.0</td><td>12.0</td><td></td><td></td></tr> </table>								36 Dept Ins Operating Acct	\$0	\$0	\$0	\$319,053	\$319,054	\$638,107		Gr Dedicated Total	\$0	\$0	\$0	\$319,053	\$319,054	\$638,107		Item Total	\$0	\$0	\$0	\$319,053	\$319,054	\$638,107						12.0	12.0		
36 Dept Ins Operating Acct	\$0	\$0	\$0	\$319,053	\$319,054	\$638,107																																	
Gr Dedicated Total	\$0	\$0	\$0	\$319,053	\$319,054	\$638,107																																	
Item Total	\$0	\$0	\$0	\$319,053	\$319,054	\$638,107																																	
				12.0	12.0																																		

3 Salary Reduction

Category: Programs - Service Reductions (FTEs-Layoffs)

Item Comment: The agency anticipates that the reduction in staff will affect the ability to maintain its quality customer service. The Ombudsman Program will be negatively impacted due to a reduction of staff, and the average days to resolve disputes would increase. Budget cuts would affect the agency's early intervention efforts in resolving disputes prior to an administrative proceeding. Currently, OIEC resolves approximately 50% of disputed issues prior to notifying DWC of the dispute. A reduction in OIEC's early intervention efforts would increase costs to DWC's and the State Office of Administrative Hearings (SOAH)'s administrative dispute resolution process as more disputes would be adjudicated through the system. A reduction in salaries and wages results in a reduction-in-force of at least 12 full-time equivalents (FTEs), and an agency with a budget that is at least 97 percent dedicated to salaries.

Strategy: 2-1-1 Assist Injured Employees & Provide Referrals to Programs & Services

<u>Gr Dedicated</u>							
36 Dept Ins Operating Acct	\$0	\$0	\$0	\$218,566	\$218,566	\$437,132	
Gr Dedicated Total	\$0	\$0	\$0	\$218,566	\$218,566	\$437,132	

Strategy: 3-1-1 Advocate for Injured Employees

6.I 10 PERCENT BIENNIAL BASE REDUCTION OPTIONS
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 8/25/2010
Time: 8:00:36AM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			TARGET
	2012	2013	Biennial Total	2012	2013	Biennial Total	
<u>Gr Dedicated</u>							
36 Dept Ins Operating Acct	\$0	\$0	\$0	\$150,487	\$150,487	\$300,974	
Gr Dedicated Total	\$0	\$0	\$0	\$150,487	\$150,487	\$300,974	
Item Total	\$0	\$0	\$0	\$369,053	\$369,053	\$738,106	
FTE Reductions (From FY 2012 and FY 2013 Base Request)				10.5	10.5		
GR Dedicated Total				\$738,106	\$738,107	\$1,476,213	\$1,476,213
Agency Grand Total	\$0	\$0	\$0	\$738,106	\$738,107	\$1,476,213	
Difference, Options Total Less Target							
Agency FTE Reductions (From FY 2012 and FY 2013 Base Request)				22.5	22.5		

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7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME : 8:02:10AM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Strategy	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
1-1-1 Assist Unrepresented Injured Employees in Dispute Resolution					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$ 152,486	\$ 157,697	\$ 183,165	\$ 0	\$ 0
1002 OTHER PERSONNEL COSTS	3,459	3,459	4,880	0	0
2001 PROFESSIONAL FEES AND SERVICES	192	526	1,119	0	0
2003 CONSUMABLE SUPPLIES	18	54	0	0	0
2004 UTILITIES	385	142	306	0	0
2005 TRAVEL	2,914	3,312	4,281	0	0
2006 RENT - BUILDING	15	17	0	0	0
2007 RENT - MACHINE AND OTHER	28	35	0	0	0
2009 OTHER OPERATING EXPENSE	5,446	4,582	6,712	0	0
Total, Objects of Expense	\$ 164,943	\$ 169,824	\$ 200,463	\$ 0	\$ 0
METHOD OF FINANCING:					
36 Dept Ins Operating Acct	164,943	169,824	200,463	0	0
Total, Method of Financing	\$ 164,943	\$ 169,824	\$ 200,463	\$ 0	\$ 0
FULL-TIME-EQUIVALENT POSITIONS (FTE):	2.4	2.4	3.0	0.0	0.0

7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME : 8:02:10AM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Strategy		Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
2-1-1	Assist Injured Employees & Provide Referrals to Programs & Services					
OBJECTS OF EXPENSE:						
1001	SALARIES AND WAGES	\$ 153,113	\$ 158,346	\$ 184,386	\$ 0	\$ 0
1002	OTHER PERSONNEL COSTS	3,473	3,473	4,913	0	0
2001	PROFESSIONAL FEES AND SERVICES	147	446	939	0	0
2003	CONSUMABLE SUPPLIES	14	46	0	0	0
2004	UTILITIES	295	120	256	0	0
2005	TRAVEL	2,166	2,767	3,591	0	0
2006	RENT - BUILDING	12	15	0	0	0
2007	RENT - MACHINE AND OTHER	21	30	0	0	0
2009	OTHER OPERATING EXPENSE	4,178	3,878	5,629	0	0
Total, Objects of Expense		\$ 163,419	\$ 169,121	\$ 199,714	\$ 0	\$ 0
METHOD OF FINANCING:						
36	Dept Ins Operating Acct	163,419	169,121	199,714	0	0
Total, Method of Financing		\$ 163,419	\$ 169,121	\$ 199,714	\$ 0	\$ 0
FULL-TIME-EQUIVALENT POSITIONS (FTE):		2.4	2.4	3.0	0.0	0.0

7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/25/2010
TIME : 8:02:10AM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Strategy	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
3-1-1 Advocate for Injured Employees					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$ 149,348	\$ 154,453	\$ 181,944	\$ 564,364	\$ 564,364
1002 OTHER PERSONNEL COSTS	3,388	3,388	4,847	14,880	16,560
2001 PROFESSIONAL FEES AND SERVICES	717	809	1,814	1,401	1,401
2003 CONSUMABLE SUPPLIES	67	84	0	0	0
2004 UTILITIES	1,440	219	495	866	866
2005 TRAVEL	10,660	5,049	6,938	10,107	10,107
2006 RENT - BUILDING	56	27	0	0	0
2007 RENT - MACHINE AND OTHER	103	54	0	0	0
2009 OTHER OPERATING EXPENSE	20,075	7,045	10,877	3,593	3,593
Total, Objects of Expense	\$ 185,854	\$ 171,128	\$ 206,915	\$ 595,211	\$ 596,891
METHOD OF FINANCING:					
36 Dept Ins Operating Acct	185,854	171,128	206,915	595,211	596,891
Total, Method of Financing	\$ 185,854	\$ 171,128	\$ 206,915	\$ 595,211	\$ 596,891
FULL-TIME-EQUIVALENT POSITIONS (FTE):	2.4	2.4	3.0	9.0	9.0
DESCRIPTION					

7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS

82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/25/2010**TIME : **8:02:10AM**Agency code: **448**Agency name: **Office of Injured Employee Counsel****Exp 2009****Est 2010****Bud 2011****BL 2012****BL 2013**

The administrative and support costs in this strategy are related to those personnel who provide technical and administrative support to the agency pertaining to:

- Strategic planning,
- Performance measure tracking, monitoring, and reporting,
- Facilities management,
- Travel and logistical support,
- Internal and external website maintenance,
- Budget planning and monitoring,
- Procurement and purchasing,
- Produces and distributes brochures and other outreach items,
- Human resources issues,
- Internal audit reports,
- Public information requests, and
- OIEC's Business Plan.

Administration and Operations Staff create public outreach presentations; conduct General Counsel services, including agency rulemaking; research and analyze data for special projects, workload, and performance measures; develop and submit reports required by statute, including:

- Legislative Report,
- Five-year Strategic Plan,
- Operating Budget, and
- Legislative Appropriations Request.

Additionally, staff publish OIEC's quarterly newsletter; recommend and track legislation; serve as liaison to other state agencies and legislative offices; and coordinate the annual OIEC Conference.

This method was chosen because salary represents over 97% of the total operating costs for the agency including the five percent reduction.

7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/25/2010**
TIME : **8:02:10AM**

Agency code: **448**

Agency name: **Office of Injured Employee Counsel**

	Exp 2009	Est 2010	Bud 2011	BL 2012	BL 2013
GRAND TOTALS					
Objects of Expense					
1001 SALARIES AND WAGES	\$454,947	\$470,496	\$549,495	\$564,364	\$564,364
1002 OTHER PERSONNEL COSTS	\$10,320	\$10,320	\$14,640	\$14,880	\$16,560
2001 PROFESSIONAL FEES AND SERVICES	\$1,056	\$1,781	\$3,872	\$1,401	\$1,401
2003 CONSUMABLE SUPPLIES	\$99	\$184	\$0	\$0	\$0
2004 UTILITIES	\$2,120	\$481	\$1,057	\$866	\$866
2005 TRAVEL	\$15,740	\$11,128	\$14,810	\$10,107	\$10,107
2006 RENT - BUILDING	\$83	\$59	\$0	\$0	\$0
2007 RENT - MACHINE AND OTHER	\$152	\$119	\$0	\$0	\$0
2009 OTHER OPERATING EXPENSE	\$29,699	\$15,505	\$23,218	\$3,593	\$3,593
Total, Objects of Expense	\$514,216	\$510,073	\$607,092	\$595,211	\$596,891
Method of Financing					
36 Dept Ins Operating Acct	\$514,216	\$510,073	\$607,092	\$595,211	\$596,891
Total, Method of Financing	\$514,216	\$510,073	\$607,092	\$595,211	\$596,891
Full-Time-Equivalent Positions (FTE)	7.2	7.2	9.0	9.0	9.0